

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CHAD H. HAMBY, individually and on behalf
of all others similarly situated,

Plaintiffs,

v.

POWER TOYOTA IRVINE, a business entity
form unknown; and DOES 1 through 75,
inclusive,

Defendants.

Civil No. 11-CV-544-BTM (BGS)

**ORDER SETTING CASE
MANAGEMENT CONFERENCE**

On July 18, 2011, District Court Judge Moskowitz granted Plaintiff's ex parte motion for discovery and stay of Defendant's motion to compel arbitration. (Doc. No. 25.) The Court ordered that "Plaintiff may conduct discovery on the issue of unconscionability." (*Id.* at 2.) Judge Moskowitz referred the parties to Magistrate Judge Skomal to decide the scope of discovery and all applicable deadlines. (*Id.* at 2.) Based thereon, IT IS HEREBY ORDERED:

1. A **Joint Discovery Plan** must be: 1) filed on CM/ECF, and 2) lodged with Magistrate Judge Skomal by emailing it to **efile_skomal@casd.uscourts.gov**, on or before **August 15, 2011**. The plan must be one document and must explicitly cover the parties views and proposals for:

a. The scope of discovery on the issue of unconscionability. The parties' proposals on the scope of discovery on the issue of unconscionability are to be supported with legal authority and citations thereto;

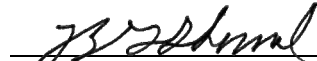
1 b. The specific discovery to be taken on the issue of unconscionability given
2 the parties' proposals on the scope; and

3 c. A timeline for completing the specific discovery identified, proposed
4 deadlines for the parties to file an amended opposition and reply, and a proposed new hearing date
5 on the motion to compel arbitration.

6 2. A Case Management Conference shall be held on **August 22, 2011**, at **1:30 p.m.**
7 The conference shall be telephonic, with attorneys only. Counsel for Plaintiff shall coordinate and
8 initiate the conference call. When all call participants are on the phone please call (619) 557-2993
9 to reach chambers.

10 Failure of any counsel or party to comply with this Order may result in the imposition of
11 sanctions.

12 DATED: August 1, 2011

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14 **BERNARD G. SKOMAL**
15 United States Magistrate Judge
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